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**Outside Sections**

Section 3 Local Aid Distribution.....	5
Sections 4 - 76 .....	19
Section 4 - Collection of Sex Offender Registration Fee.....	19
Section 5 - MOITI Transfer to MOBD 1 .....	19
Section 6 - Federal Grants Management Trust Fund.....	19
Section 7 - Supplier Diversity Definitions 1 .....	20
Section 8 - Supplier Diversity Definitions 2 .....	20
Section 9 - Transfer of Unified Certification Program Trust Fund.....	20
Section 10 - State Leasing 1 .....	20
Section 11 - State Leasing 2 .....	21
Section 12 - Delivery System Transformation Initiatives Trust Fund Repeal.....	21
Section 13 - New Chapter 10 Funds.....	21
Section 14 - All-Payer Claims Database Technical Change .....	22
Section 15 - TAFDC Reform 1.....	22
Section 16 - TAFDC Reform 2.....	23
Section 17 - Underground Storage Tanks .....	23
Section 18 - MOITI Transfer to MOBD 2.....	23
Section 19 - MOITI Transfer to MOBD 3.....	24
Section 20 - MOITI Transfer to MOBD 4.....	24
Section 21 - MOITI Transfer to MOBD 5.....	24
Section 22 - MOITI Transfer to MOBD 6.....	24
Section 23 - MOITI Transfer to MOBD 7.....	25
Section 24 - EFSB and Unified Carrier Registration Trust Funds .....	25
Section 25 - New Chapter 29 Funds.....	25
Section 26 - Sick Leave Buyback 1 .....	26
Section 27 - Records Conservation Board Membership .....	27
Section 28 - Earned Income Tax Credit Increase .....	27
Section 29 - EMAC Supplement Tax Credit 1.....	27
Section 30 - EMAC Supplement Tax Credit 2.....	29
Section 31 - Safe Cigarette Penalty Fund Language.....	30
Section 32 - Room Occupancy Tax Changes 1 .....	30
Section 33 - Leased Vehicle Registration Renewals 1.....	35
Section 34 - Leased Vehicle Registration Renewals 2.....	35
Section 35 - Civil Motor Vehicle Citations 1 .....	35
Section 36 - Civil Motor Vehicle Citations 2 .....	36

Section 37 - Laboratory Analysis of Cocaine .....	36
Section 38 - Public Health Grant Trust Fund .....	36
Section 39 - Reputable Dental College Technical Correction 1 .....	37
Section 40 - Reputable Dental College Technical Correction 2 .....	37
Section 41 - Canadian Nurse Reciprocity Technical Correction.....	37
Section 42 - MassHealth Drug Pricing 1 .....	38
Section 43 - Nursing Facility Assessment.....	38
Section 44 - LLC Filing Fees .....	39
Section 45 - TAFDC Reform 3.....	39
Section 46 - TAFDC Reform 4.....	39
Section 47 - TAFDC Reform 5.....	40
Section 48 - MBTA Capital Budget.....	40
Section 49 - Sales Tax Modernization 1 .....	40
Section 50 - Department of Conservation and Recreation Parks Pass 1 .....	41
Section 51 - Department of Conservation and Recreation Parks Pass 2 .....	41
Section 52 - Trial Court Transferability .....	41
Section 53 - Other Post-Employment Benefits Liability.....	42
Section 54 - FY 2018 Consolidated Net Surplus.....	42
Section 55 - FY 2019 Stabilization Fund Deposit.....	43
Section 56 - Gaming Revenues.....	43
Section 57 - Pension Cost of Living Adjustment .....	43
Section 58 - EMAC Supplement Tax Credit 3.....	44
Section 59 - Room Occupancy Tax Changes 2 .....	44
Section 60 - Sales Tax Modernization 2 .....	45
Section 61 - Sick Leave Buyback 2 .....	45
Section 62 - Sick Leave Buyback 3 .....	45
Section 63 - Sick Leave Buyback 4 .....	46
Section 64 - Health Safety Net Administration.....	46
Section 65 - Initial Gross Payments to Qualifying Acute Care Hospitals .....	47
Section 66 - Inspector General's Health Care Audits.....	47
Section 67 - MassHealth Dental Coverage.....	47
Section 68 - MassHealth Drug Pricing 2.....	48
Section 69 - Nursing and Resident Care Facility Base Year .....	48
Section 70 - Transfers between Health Funds.....	48
Section 71 - Health Connector Coverage for Non-Disabled Adults.....	48
Section 72 - Electronic Addresses for Customers of the Registry of Motor Vehicles.....	49
Section 73 - Tuition Retention .....	49

Section 74 - EMAC Supplement Tax Credit Effective Date..... 50  
Section 75 - Earned Income Tax Credit Increase Effective Date ..... 50  
Section 76 - Effective Date ..... 50



## ***Section 3 Local Aid Distribution***

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Additional local aid information based on the Governor's FY2019 Budget for individual cities and towns is available at <https://www.mass.gov/lists/cherry-sheet-estimates>

### SECTION 3.

Notwithstanding any general or special law to the contrary, for the fiscal year ending June 30, 2019 the distribution to cities and towns of the balance of the State Lottery and Gaming Fund, as paid from the General Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional funds from the General Fund and the Gaming Local Aid Fund, shall be \$1,098,945,897 and shall be apportioned to the cities and towns in accordance with this section.

Notwithstanding section 2 of chapter 70 of the General Laws or any other general or special law to the contrary, except for section 12B of chapter 76 and section 89 of chapter 71 of the General Laws, for fiscal year 2019 the total amounts to be distributed and paid to each city and town from item 7061-0008 of section 2 shall be as set forth in the following lists. The specified amounts to be distributed from said item 7061-0008 of said section 2 shall be in full satisfaction of the amounts due under chapter 70 of the General Laws.

For fiscal year 2019, the foundation budget category of "low income enrollment" for the purpose of calculating foundation enrollment shall be the number of students identified as economically disadvantaged by qualifying as a match in the following programs included in the commonwealth's direct certification system, as maintained in the executive office of health and human services virtual gateway system: supplemental nutrition assistance program (SNAP), temporary assistance for needy families (TANF), medicaid (MassHealth), and foster care. Each district shall be assigned a low income decile in the same manner as in fiscal year 2018. Each decile shall be assigned a low income rate, where the rate for the lowest percentage decile shall be \$3,619.57 and each subsequent decile shall increase by \$40 up to the highest percentage decile rate of \$3,979.57. The foundation budget rates for the employee benefits and fixed charges category will be increased to \$469.33 for pre-school and half day kindergarten, \$938.63 for full day kindergarten, \$938.67 for elementary, \$948.39 for middle school, \$868.10 for high school, \$3,351.10 for in-school special education, \$549.93 for limited English pre-school and half day kindergarten, \$1,075.41 for limited English all other grades, and \$1,305.56 for vocational. All other foundation budget categories for each district shall be calculated in the same manner as in fiscal year 2018. The target local share shall be calculated using the same methodology used in fiscal year 2018. Preliminary local contribution shall be the municipality's fiscal year 2018 minimum required local contribution, increased or decreased by the municipal revenue growth factor; provided, that if a municipality's preliminary local contribution as a percentage of its foundation budget is more than 2.5 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 1 percentage point; and if a municipality's preliminary contribution as a percentage of its foundation budget is more than 7.5 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 2 percentage points. Minimum required local contribution for fiscal year 2019 shall be, for any municipality with a fiscal year 2019 preliminary contribution greater than its fiscal year 2019 target contribution, the preliminary local contribution reduced by 85 per cent of the gap between the preliminary local contribution and the target local contribution. No minimum required local contribution shall be greater than 90 percent of the district's foundation budget amount.

Required local contribution shall be allocated among the districts to which a municipality belongs in direct proportion to the foundation budgets for the municipality's pupils at each of those districts. For fiscal year 2019, the "foundation aid increment" shall be the difference between: (i) the positive difference between a district's foundation budget and its required district contribution; and (ii) prior year

**FY 2019 Governor's Budget Recommendation**

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aid. The "minimum aid increment" shall be equal to \$20 multiplied by the district's foundation enrollment minus the foundation aid increment.

No non-operating district shall receive chapter 70 aid in an amount greater than the district's foundation budget.

If there is a conflict between the language of this section and the distribution listed below, the distribution below shall control.

The department of elementary and secondary education shall not consider health care costs for retired teachers to be part of net school spending for any district in which such costs were not considered part of net school spending in fiscal year 1994, and shall not consider health care costs for retired teachers to be part of net school spending for any district that has not accepted the provisions of section 260 of chapter 165 of the acts of 2014, provided that any district for whom such costs are not so considered shall have included as part of net school spending an amount equal to the increase in the foundation budget for the district associated with health care costs of retired teachers.

No payments to cities, towns or counties maintaining an agricultural school under this section shall be made after November 30 of the fiscal year until the commissioner of revenue certifies acceptance of the prior fiscal year's annual financial reports submitted pursuant to section 43 of chapter 44 of the General Laws. Advance payments shall be made for some or all of periodic local reimbursement or assistance programs to any city, town, regional school district, or independent agricultural and technical school that demonstrates an emergency cash shortfall, as certified by the commissioner of revenue and approved by the secretary of administration and finance, under guidelines established by the secretary.

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
ABINGTON	7,677,789	2,033,977
ACTON	0	1,446,332
ACUSHNET	6,310,802	1,567,707
ADAMS	0	2,420,641
AGAWAM	19,329,212	3,809,114
ALFORD	0	14,510
AMESBURY	9,105,407	2,011,489
AMHERST	6,076,903	8,704,774
ANDOVER	10,312,669	1,847,539
AQUINNAH	0	2,417
ARLINGTON	11,534,686	7,844,260
ASHBURNHAM	0	822,091
ASHBY	0	452,735
ASHFIELD	93,413	191,955
ASHLAND	6,092,576	1,398,231
ATHOL	13,813	2,737,372
ATTLEBORO	37,481,438	5,898,624
AUBURN	10,960,077	1,770,746
AVON	1,804,881	716,633
AYER	0	782,733
BARNSTABLE	10,311,986	2,174,876

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
BARRE	0	929,909
BECKET	76,563	93,898
BEDFORD	4,769,553	1,186,907
BELCHERTOWN	13,790,846	1,759,269
BELLINGHAM	8,550,505	1,754,449
BELMONT	8,891,225	2,334,595
BERKLEY	3,973,348	629,110
BERLIN	457,485	208,459
BERNARDSTON	0	300,724
BEVERLY	7,971,842	6,038,076
BILLERICA	19,153,674	6,020,823
BLACKSTONE	155,685	1,415,233
BLANDFORD	43,655	131,287
BOLTON	4,568	204,142
BOSTON	219,355,735	195,892,075
BOURNE	5,133,823	1,515,701
BOXBOROUGH	18,681	260,815
BOXFORD	1,719,713	502,630
BOYLSTON	582,509	354,164
BRAINTREE	17,601,181	5,916,623
BREWSTER	992,889	408,251
BRIDGEWATER	76,038	3,765,882
BRIMFIELD	1,236,652	403,120
BROCKTON	172,850,827	21,649,227
BROOKFIELD	1,431,230	510,512
BROOKLINE	14,298,610	6,564,518
BUCKLAND	10,378	316,595
BURLINGTON	6,448,721	2,707,773
CAMBRIDGE	15,113,809	22,212,508
CANTON	6,093,855	2,217,268
CARLISLE	942,712	226,818
CARVER	9,945,029	1,510,457
CHARLEMONT	92,051	180,734
CHARLTON	21,633	1,497,974
CHATHAM	0	155,609
CHELMSFORD	10,996,148	5,247,915
CHELSEA	76,170,347	8,491,869
CHESHIRE	0	635,171
CHESTER	55,250	186,151
CHESTERFIELD	133,114	142,753
CHICOPEE	63,000,668	11,906,309

**FY 2019 Governor's Budget Recommendation**

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
CHILMARK	0	3,878
CLARKSBURG	1,791,825	376,134
CLINTON	12,350,043	2,433,967
COHASSET	2,625,048	531,957
COLRAIN	0	298,410
CONCORD	3,395,908	1,199,501
CONWAY	622,824	184,788
CUMMINGTON	73,684	86,255
DALTON	236,011	1,176,385
DANVERS	6,803,012	2,944,871
DARTMOUTH	9,805,071	2,606,453
DEDHAM	5,049,771	3,381,186
DEERFIELD	1,101,613	496,611
DENNIS	0	563,101
DEVENS	308,558	0
DIGHTON	0	799,496
DOUGLAS	8,709,455	754,549
DOVER	802,405	198,896
DRACUT	19,258,807	3,622,690
DUDLEY	18,165	1,847,378
DUNSTABLE	2,961	254,310
DUXBURY	5,182,464	916,508
EAST BRIDGEWATER	10,587,417	1,547,676
EAST BROOKFIELD	186,016	299,866
EAST LONGMEADOW	11,161,018	1,496,634
EASTHAM	358,001	154,043
EASTHAMPTON	7,958,942	2,906,231
EASTON	10,005,411	2,264,236
EDGARTOWN	728,261	68,873
EGREMONT	0	65,237
ERVING	462,635	69,494
ESSEX	0	253,151
EVERETT	66,440,961	7,143,256
FAIRHAVEN	7,719,727	2,331,555
FALL RIVER	118,464,225	24,639,691
FALMOUTH	6,470,796	1,433,458
FITCHBURG	51,950,524	8,823,683
FLORIDA	547,797	51,463
FOXBOROUGH	8,941,270	1,540,088
FRAMINGHAM	46,667,584	10,286,847
FRANKLIN	28,191,931	2,554,858

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
FREETOWN	452,684	981,812
GARDNER	19,571,924	4,381,445
GEORGETOWN	5,474,978	740,693
GILL	0	251,497
GLOUCESTER	6,568,187	4,129,506
GOSHEN	96,111	82,717
GOSNOLD	16,414	2,168
GRAFTON	10,984,055	1,616,669
GRANBY	4,636,170	912,938
GRANVILLE	0	165,773
GREAT BARRINGTON	0	784,690
GREENFIELD	12,236,677	3,282,611
GROTON	0	800,932
GROVELAND	65,111	752,639
HADLEY	1,013,764	469,266
HALIFAX	2,968,246	938,584
HAMILTON	0	694,676
HAMPDEN	0	711,364
HANCOCK	208,300	58,377
HANOVER	6,922,029	2,190,296
HANSON	59,448	1,324,060
HARDWICK	8,560	481,354
HARVARD	1,945,281	1,531,224
HARWICH	0	445,373
HATFIELD	832,156	322,621
HAVERHILL	54,349,451	10,162,104
HAWLEY	13,813	44,746
HEATH	0	86,509
HINGHAM	7,428,837	1,631,800
HINSDALE	104,683	230,217
HOLBROOK	6,183,575	1,525,611
HOLDEN	5,600	1,976,843
HOLLAND	926,898	208,693
HOLLISTON	7,494,480	1,601,175
HOLYOKE	71,524,307	10,500,921
HOPEDALE	6,049,330	674,220
HOPKINTON	6,684,803	812,229
HUBBARDSTON	0	465,755
HUDSON	11,861,503	2,061,821
HULL	3,837,186	2,191,219
HUNTINGTON	257,686	356,346

**FY 2019 Governor's Budget Recommendation**

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
IPSWICH	3,265,170	1,659,733
KINGSTON	4,329,465	992,435
LAKEVILLE	73,946	846,006
LANCASTER	8,468	988,345
LANESBOROUGH	0	356,665
LAWRENCE	184,170,366	20,301,465
LEE	2,060,289	643,926
LEICESTER	9,739,887	1,795,264
LENOX	1,252,465	551,121
LEOMINSTER	44,195,667	5,917,601
LEVERETT	291,101	184,558
LEXINGTON	14,144,934	1,584,615
LEYDEN	0	85,131
LINCOLN	1,064,601	703,901
LITTLETON	3,975,468	734,973
LONGMEADOW	5,135,690	1,444,567
LOWELL	149,264,111	26,043,352
LUDLOW	13,693,773	3,158,612
LUNENBURG	7,494,174	1,093,406
LYNN	163,725,701	23,149,817
LYNNFIELD	4,316,381	1,075,343
MALDEN	49,222,429	12,972,052
MANCHESTER	0	229,939
MANSFIELD	18,806,809	2,306,348
MARBLEHEAD	5,805,319	1,177,415
MARION	842,324	233,300
MARLBOROUGH	26,671,471	5,628,477
MARSHFIELD	14,502,683	2,239,895
MASHPEE	4,573,646	380,412
MATTAPOISETT	821,935	419,062
MAYNARD	5,358,296	1,624,392
MEDFIELD	6,188,024	1,498,812
MEDFORD	11,958,006	12,541,814
MEDWAY	10,412,849	1,261,449
MELROSE	8,357,406	5,302,633
MENDON	35,339	422,536
MERRIMAC	39,015	869,959
METHUEN	44,157,608	5,621,816
MIDDLEBOROUGH	17,856,469	2,549,217
MIDDLEFIELD	13,200	54,966
MIDDLETON	1,639,521	565,735

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
MILFORD	24,701,796	3,158,129
MILLBURY	7,250,684	1,830,931
MILLIS	4,785,142	1,082,529
MILLVILLE	71,278	421,163
MILTON	8,209,409	3,322,291
MONROE	49,377	19,012
MONSON	7,503,615	1,349,710
MONTAGUE	0	1,481,823
MONTEREY	0	47,806
MONTGOMERY	21,042	89,731
MOUNT WASHINGTON	25,626	30,994
NAHANT	510,763	390,673
NANTUCKET	3,494,138	81,923
NATICK	9,638,233	3,940,047
NEEDHAM	9,623,283	1,804,987
NEW ASHFORD	179,597	21,002
NEW BEDFORD	143,354,420	23,785,245
NEW BRAINTREE	12,441	136,494
NEW MARLBOROUGH	0	60,553
NEW SALEM	6,090	107,279
NEWBURY	16,844	535,479
NEWBURYPORT	4,037,835	2,637,044
NEWTON	23,807,406	6,076,275
NORFOLK	3,424,875	991,557
NORTH ADAMS	13,751,293	4,587,185
NORTH ANDOVER	8,831,657	2,118,974
NORTH ATTLEBOROUGH	20,513,491	2,974,712
NORTH BROOKFIELD	4,266,378	823,890
NORTH READING	7,059,217	1,835,878
NORTHAMPTON	7,450,119	4,544,558
NORTHBOROUGH	3,931,170	1,153,333
NORTHBRIDGE	15,517,361	2,182,545
NORTHFIELD	0	373,570
NORTON	12,729,070	2,148,995
NORWELL	3,694,701	1,108,403
NORWOOD	6,567,954	4,809,398
OAK BLUFFS	932,452	75,197
OAKHAM	5,880	198,373
ORANGE	5,252,709	1,670,987
ORLEANS	397,923	177,604
OTIS	0	37,608

**FY 2019 Governor's Budget Recommendation**

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
OXFORD	10,496,804	2,126,099
PALMER	10,858,300	2,073,599
PAXTON	5,012	559,510
PEABODY	19,364,792	7,463,720
PELHAM	232,221	164,586
PEMBROKE	13,492,622	1,738,078
PEPPERELL	0	1,543,209
PERU	89,842	118,084
PETERSHAM	432,723	118,536
PHILLIPSTON	0	190,726
PITTSFIELD	41,697,360	8,927,217
PLAINFIELD	27,625	51,873
PLAINVILLE	2,899,801	784,421
PLYMOUTH	26,046,817	4,051,514
PLYMPTON	732,000	245,298
PRINCETON	0	306,137
PROVINCETOWN	286,111	143,019
QUINCY	27,232,056	19,743,316
RANDOLPH	17,288,664	5,374,404
RAYNHAM	0	1,175,748
READING	10,672,819	3,352,020
REHOBOTH	0	1,077,815
REVERE	62,220,461	10,636,173
RICHMOND	359,719	111,865
ROCHESTER	1,840,032	439,151
ROCKLAND	13,751,975	2,733,380
ROCKPORT	1,474,886	452,434
ROWE	137,795	4,074
ROWLEY	25,266	558,376
ROYALSTON	0	185,888
RUSSELL	182,791	255,367
RUTLAND	0	956,484
SALEM	21,826,722	7,132,619
SALISBURY	33,688	653,308
SANDISFIELD	0	35,830
SANDWICH	7,044,138	1,165,398
SAUGUS	5,622,672	3,793,360
SAVOY	513,469	119,803
SCITUATE	5,492,291	2,080,024
SEEKONK	5,420,925	1,272,352
SHARON	7,309,707	1,447,413

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
SHEFFIELD	16,826	251,898
SHELBURNE	3,114	270,397
SHERBORN	672,976	223,966
SHIRLEY	0	1,356,580
SHREWSBURY	19,826,778	2,880,275
SHUTESBURY	625,576	175,341
SOMERSET	8,094,581	1,585,869
SOMERVILLE	20,276,208	26,051,985
SOUTH HADLEY	7,971,944	2,700,438
SOUTHAMPTON	2,532,346	658,832
SOUTHBOROUGH	2,938,771	452,238
SOUTHBRIDGE	21,234,039	3,637,569
SOUTHWICK	0	1,304,260
SPENCER	41,438	2,338,654
SPRINGFIELD	341,982,149	39,142,890
STERLING	0	716,833
STOCKBRIDGE	0	103,066
STONEHAM	4,332,712	3,842,756
STOUGHTON	15,723,610	3,311,058
STOW	4,847	435,272
STURBRIDGE	3,812,614	801,067
SUDBURY	4,883,418	1,447,383
SUNDERLAND	865,368	522,611
SUTTON	5,426,055	807,135
SWAMPSCOTT	3,677,780	1,338,375
SWANSEA	7,655,832	1,942,001
TAUNTON	59,826,549	8,696,558
TEMPLETON	8,599	1,441,840
TEWKSBURY	13,189,265	2,877,797
TISBURY	705,364	101,388
TOLLAND	0	19,111
TOPSFIELD	1,168,858	634,204
TOWNSEND	0	1,358,888
TRURO	388,937	31,107
TYNGSBOROUGH	7,344,894	999,239
TYRINGHAM	42,201	13,128
UPTON	34,828	550,495
UXBRIDGE	9,366,564	1,422,712
WAKEFIELD	6,300,748	3,483,333
WALES	988,473	244,221
WALPOLE	8,035,741	2,635,193

**FY 2019 Governor's Budget Recommendation**

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
WALTHAM	12,443,193	9,929,070
WARE	9,549,143	1,785,100
WAREHAM	13,283,040	2,045,741
WARREN	0	935,479
WARWICK	0	131,500
WASHINGTON	5,097	97,661
WATERTOWN	5,044,941	6,896,842
WAYLAND	4,585,588	934,640
WEBSTER	12,550,649	2,560,067
WELLESLEY	8,774,944	1,339,443
WELLFLEET	192,608	60,436
WENDELL	0	180,198
WENHAM	0	442,899
WEST BOYLSTON	2,999,885	823,825
WEST BRIDGEWATER	3,684,319	676,141
WEST BROOKFIELD	325,835	503,612
WEST NEWBURY	2,367	306,370
WEST SPRINGFIELD	27,669,275	3,705,722
WEST STOCKBRIDGE	0	100,534
WEST TISBURY	0	192,055
WESTBOROUGH	7,914,414	1,198,188
WESTFIELD	34,499,698	6,509,149
WESTFORD	16,950,015	2,197,382
WESTHAMPTON	471,940	149,830
WESTMINSTER	0	676,866
WESTON	3,621,072	386,769
WESTPORT	4,499,732	1,257,954
WESTWOOD	5,171,293	754,341
WEYMOUTH	28,192,675	9,015,837
WHATELY	261,200	138,760
WHITMAN	78,029	2,503,743
WILBRAHAM	0	1,513,263
WILLIAMSBURG	537,455	313,038
WILLIAMSTOWN	0	987,180
WILMINGTON	11,338,030	2,571,070
WINCHENDON	11,435,980	1,739,507
WINCHESTER	9,220,420	1,529,842
WINDSOR	26,342	107,375
WINTHROP	6,933,491	4,358,943
WOBURN	8,822,541	6,190,152
WORCESTER	248,912,944	42,968,659

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MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
WORTHINGTON	242,421	129,877
WRENTHAM	3,756,473	963,997
YARMOUTH	0	1,305,480
Total Municipal Aid	4,135,227,025	1,098,945,897

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	Chapter 70
Regional School District	
ACTON BOXBOROUGH	14,968,061
ADAMS CHESHIRE	10,301,553
AMHERST PELHAM	9,505,137
ASHBURNHAM WESTMINSTER	11,126,227
ASSABET VALLEY	5,641,748
ATHOL ROYALSTON	17,352,600
AYER SHIRLEY	8,231,861
BERKSHIRE HILLS	2,892,218
BERLIN BOYLSTON	1,118,948
BLACKSTONE MILLVILLE	10,915,189
BLACKSTONE VALLEY	8,214,934
BLUE HILLS	4,821,671
BRIDGEWATER RAYNHAM	21,239,111
BRISTOL COUNTY	3,035,642
BRISTOL PLYMOUTH	11,202,429
CAPE COD	2,160,987
CENTRAL BERKSHIRE	8,708,909
CHESTERFIELD GOSHEN	747,120
CONCORD CARLISLE	2,534,771
DENNIS YARMOUTH	7,163,524
DIGHTON REHOBOTH	12,840,846
DOVER SHERBORN	2,156,439
DUDLEY CHARLTON	24,340,223
ESSEX NORTH SHORE	4,163,186
FARMINGTON RIVER	476,432
FRANKLIN COUNTY	3,497,056
FREETOWN LAKEVILLE	10,989,693
FRONTIER	2,832,345
GATEWAY	5,623,909
GILL MONTAGUE	6,206,514
GREATER FALL RIVER	16,216,650
GREATER LAWRENCE	24,387,740
GREATER LOWELL	26,826,081
GREATER NEW BEDFORD	25,332,596
GROTON DUNSTABLE	10,825,543
HAMILTON WENHAM	3,642,026
HAMPDEN WILBRAHAM	11,801,694
HAMPSHIRE	3,244,293
HAWLEMONT	623,782
KING PHILIP	7,507,800
LINCOLN SUDBURY	3,034,456
MANCHESTER ESSEX	2,994,228

Regional School District	Chapter 70
MARTHAS VINEYARD	2,848,580
MASCONOMET	5,127,759
MENDON UPTON	12,360,916
MINUTEMAN	2,081,683
MOHAWK TRAIL	6,019,314
MONOMOY	3,455,287
MONTACHUSETT	14,663,123
MOUNT GREYLOCK	3,510,277
NARRAGANSETT	9,899,674
NASHOBA	6,915,370
NASHOBA VALLEY	3,691,554
NAUSET	3,479,589
NEW SALEM WENDELL	683,631
NORFOLK COUNTY	1,239,823
NORTH MIDDLESEX	20,266,893
NORTHAMPTON SMITH	908,855
NORTHBORO SOUTHBORO	3,108,294
NORTHEAST METROPOLITAN	9,597,852
NORTHERN BERKSHIRE	4,688,716
OLD COLONY	3,263,834
OLD ROCHESTER	2,956,512
PATHFINDER	5,451,515
PENTUCKET	13,087,502
PIONEER	4,142,801
QUABBIN	16,566,358
QUABOAG	9,109,770
RALPH C MAHAR	5,407,550
SHAWSHEEN VALLEY	6,417,991
SILVER LAKE	8,120,949
SOMERSET BERKLEY	5,128,765
SOUTH MIDDLESEX	4,739,134
SOUTH SHORE	4,319,370
SOUTHEASTERN	16,029,743
SOUTHERN BERKSHIRE	1,960,311
SOUTHERN WORCESTER	10,463,147
SOUTHWICK TOLLAND GRANVILLE	9,789,098
SPENCER EAST BROOKFIELD	13,632,154
TANTASQUA	8,711,555
TRI COUNTY	5,678,028
TRITON	8,684,381
UPISLAND	862,242
UPPER CAPE COD	3,205,350

**FY 2019 Governor's Budget Recommendation**

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	Chapter 70
Regional School District	
WACHUSETT	27,472,242
WHITMAN HANSON	24,627,610
WHITTIER	9,524,827

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TOTALS	Chapter 70	Unrestricted General Government Aid
Total Regional Aid	715,346,101	
Total Municipal and Regional Aid	4,850,573,126	1,098,945,897

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**Section 4 - Collection of Sex Offender Registration Fee**

SECTION 4. Section 178Q of chapter 6 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following paragraph:- The sex offender registry board shall, within 30 days of a sex offender's failure of the requirement under this section to pay said sex offender registry fee or any portion thereof, report to the department of revenue and the registry of motor vehicles the offender's name, other necessary identifying information as determined by the commissioner of the department of revenue or the registrar of motor vehicles, and the unpaid amount of any sex offender registration fee owed. The department of revenue shall intercept payment of such unpaid fee from tax refunds due to such offender and provide the amount intercepted to the sex offender registry board in accordance with the provisions of chapter 62D. For the purposes of this intercept, the sex offender registry board shall be considered a "claimant agency" as defined in section 1 of chapter 62D, and such set-off shall be conducted before the set-off of a refund for unpaid federal nontax liabilities to a federal agency. The registry of motor vehicles shall not issue or renew a driver's license, or motor vehicle registration for any vehicle subsequently purchased, to any offender reported with an unpaid sex offender registration fee until it receives subsequent notification from the sex offender registry board that the reported offender's fee has been paid.

*Summary:*

This section requires the Sex Offender Registry Board to notify the Department of Revenue (DOR) and the Registry of Motor Vehicles (RMV) when a sex offender fails to pay the annual registration fee and further requires DOR to intercept refunds and RMV to refuse to issue or renew licenses or registrations until the fee is paid.

**Section 5 - MOITI Transfer to MOBD 1**

SECTION 5. Subsection (d) of section 16I chapter 6A of the General Laws, as so appearing, is hereby amended by striking out, in lines 24 and 25, the words, "the Massachusetts international trade office,".

*Summary:*

This section and six additional sections propose to transfer the Massachusetts Office of International Trade and Investment (MOITI) from the Massachusetts Marketing Partnership to the Massachusetts Office of Business Development (MOBD).

**Section 6 - Federal Grants Management Trust Fund**

SECTION 6. Chapter 7 of the General Laws is hereby amended by striking out section 4F3/4.

*Summary:*

This section would repeal a defunct trust fund.

### **Section 7 - Supplier Diversity Definitions 1**

SECTION 7. Section 58 of said chapter 7, as appearing in the 2016 Official Edition, is hereby amended by striking out the definition of "Disadvantaged business enterprise".

*Summary:*

This section would remove from the Supplier Diversity Office's section of the General Laws the definition of a "Disadvantaged Business Enterprise," for which certification is now provided by MassDOT.

### **Section 8 - Supplier Diversity Definitions 2**

SECTION 8. Said section 58 of said chapter 7, as so appearing, is hereby further amended by striking out the definition of "Unified certification program".

*Summary:*

This section would remove from the Supplier Diversity Office's section of the General Laws the definition of the "Unified Certification Program," which is now administered by MassDOT.

### **Section 9 - Transfer of Unified Certification Program Trust Fund**

SECTION 9. Section 60 of said chapter 7 is hereby repealed.

*Summary:*

This section would remove from the Supplier Diversity Office's section of the General Laws the requirement that the Supplier Diversity Office administer the Unified Certification Program, which is now administered by MassDOT.

### **Section 10 - State Leasing 1**

SECTION 10. Section 35 of chapter 7C of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in lines 11 and 12, the words, "a term not exceeding 10 years," and inserting in place thereof the following words:- an initial term not exceeding 10 years with two 5-year extensions.

*Summary:*

This section, together with the subsequent section, provides the Division of Capital Asset Management and Maintenance (DCAMM) with one additional option to renew a state lease for five years, which if exercised would result in a maximum lease term of twenty years.

## **Section 11 - State Leasing 2**

SECTION 11. Section 35A of said chapter 7C, as so appearing, is hereby amended by striking out subsection (b).

*Summary:*

This section, together with the preceding section, provides DCAMM with one additional option to renew a state lease for five years, which if exercised would result in a maximum lease term of twenty years.

## **Section 12 - Delivery System Transformation Initiatives Trust Fund Repeal**

SECTION 12. Section 35UU of chapter 10 of the General Laws is hereby repealed.

*Summary:*

This section repeals the Delivery System Transformation Initiatives Trust Fund as the authorization under the 1115 waiver for this type of supplemental payment category has expired.

## **Section 13 - New Chapter 10 Funds**

SECTION 13. Chapter 10 of the General Laws is hereby amended by inserting after section 35DDD the following 2 sections:-

Section 35EEE. There shall be established and set up on the books of the commonwealth a Substance Use Prevention, Education, and Screening Trust Fund for the purpose of supporting school-based programs that educate children and young persons on addiction, substance misuse and other risky behaviors, and that identify and support children and young persons at risk of alcohol or substance misuse. The fund shall be administered by the secretary of education, in consultation with the secretary of health and human services, who shall use the fund to provide grants (i) to public elementary, middle and secondary schools and to public colleges and universities to support the expansion of educational and intervention programs meeting the purposes of the fund; and (ii) to the department of public health to support schools in implementing evidence based substance use prevention programs, early detection protocols and policies, risk assessment tools, or counseling in the school setting. Grants from the fund may be made to schools for the purposes specified in subsection (f) of section 1P of chapter 69 where consistent with the purposes of the fund. The secretary of education may use the fund for necessary and reasonable administrative and personnel costs related to administering the grants. Such expenditures may not exceed, in one fiscal year, 5 per cent of the total amount deposited into the fund during that fiscal year.

The fund shall consist of revenue from appropriations or other money authorized by the general court and specifically designated to be credited to the fund, and revenue from private sources including, but not limited to, grants, gifts and donations received by the commonwealth that are specifically designated to be credited to the fund. Amounts credited to the fund shall not be subject to further appropriation and any money remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in subsequent fiscal years.

Section 35FFF. There shall be established and set up on the books of the commonwealth a Commonwealth Facility Trust for Energy Efficiency, in this section referred to as the trust. There shall be credited to the trust: (i) an initial \$500,000 transfer from the existing Energy Credit, Efficiency and Sustainable Design Trust Fund previously established by a declaration by the secretary of the executive office of administration and finance executed March 21, 2006 and most recently amended

and restated on March 1, 2011; (ii) amounts paid by agencies having completed energy or water efficiency projects funded at least in part by monies disbursed from the trust; (iii) any monies received by the commonwealth from persons or governmental, quasi-governmental or non-governmental entities as rebates, credits, securities, grants or the like as a result of enhancing energy efficiency and utilizing renewable energy applications in facility projects funded at least in part by monies disbursed from the trust; and (iv) any appropriations, bond proceeds or other monies authorized by the general court and specifically designated to be credited thereto. The comptroller shall disburse amounts in the trust at the direction of the secretary of administration and finance, in consultation with the commissioner of the division of capital asset management and maintenance, without further appropriation, for the purpose of funding certain small and medium energy and water efficiency projects at state facilities identified by the division of capital asset management and maintenance. The secretary of administration and finance or the commissioner of the division of capital asset management and maintenance may require agencies to agree to repayment terms, including without limitation payment of administrative fees, as a condition of receipt of monies from the trust. All monies received from non-governmental parties by the division of capital asset management and maintenance under this section shall be by check made payable to the commonwealth of Massachusetts and deposited in the trust by the division of capital asset management and maintenance. Amounts credited to the trust shall not be subject to further appropriation. Money remaining in the trust at the close of a fiscal year shall not revert to the General Fund and shall be available for expenditure in subsequent fiscal years.

*Summary:*

This section proposes to create two trust funds. The first part renews a proposal the Governor filed as part of the CARE Act in November to create a trust to support school-based programs to educate students about the dangers of addiction and other programs that can identify students at risk because of substance use problems. In his budget proposal, the Governor calls for an initial appropriation of \$5 million for the proposed Substance Use Prevention, Education, and Screening Trust Fund. The second part establishes a revolving trust to provide state agencies with funding for smaller energy and water conservation projects.

**Section 14 - All-Payer Claims Database Technical Change**

SECTION 14. Section 12 of chapter 12C of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in lines 11 and 12, the words "the operation of the database or its functions," and inserting in place thereof the following words:- control of the database.

*Summary:*

This section would amend restrictions placed on the Center for Health Information and Analysis's (CHIA) All-Payer Claim Database so as to allow CHIA to contract out certain planned improvements.

**Section 15 - TAFDC Reform 1**

SECTION 15. Section 37 of chapter 18 of the General Laws, as amended by section 20 of chapter 133 of the acts of 2016, is hereby further amended by striking out, in line 1, the words "or recipients".

*Summary:*

This section, together with one companion section, simplifies the TAFDC grant structure by replacing the work-expense deduction with a basic earned income disregard.

## Section 16 - TAFDC Reform 2

SECTION 16. Said section 37 of said chapter 18, as so amended, is hereby further amended by striking out, in line 2, the word "monthly".

*Summary:*

This section, together with the previous section, simplifies the TAFDC grant structure by replacing the work-expense deduction with a basic earned income disregard and makes a technical edit.

## Section 17 - Underground Storage Tanks

SECTION 17. Subsection (C) of section 2 of chapter 21J of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following 2 sentences:-

The department shall deposit the receipts from the delivery fee imposed under the first paragraph of subsection (A) in the following manner: (i) the first \$30,000,000 in receipts in a fiscal year into the Underground Storage Tank Petroleum Product Cleanup Fund established in section 2XXXX of chapter 29; and (ii) the remainder into the Commonwealth Transportation Fund established in section 2ZZZ of chapter 29. The department shall deposit the receipts from the annual storage tank fee imposed under the second paragraph of said subsection (A) into the General Fund.

*Summary:*

This section would dedicate annually the first \$30 million of revenue from the 2.5 cent per gallon underground storage tank fee to a re-created fund for underground storage tanks, to ensure that it continues to provide the assurance of financial stability for tank owners that the federal government requires.

## Section 18 - MOITI Transfer to MOBD 2

SECTION 18. Section 3 of chapter 23A of the General Laws, as so appearing, is hereby amended by inserting after subsection (a), the following subsection:-

(a ½) MOBD shall contain the Massachusetts international trade office established pursuant to section 13K.

*Summary:*

This section and six additional sections propose to transfer the Massachusetts Office of International Trade and Investment (MOITI) from the Massachusetts Marketing Partnership to the Massachusetts Office of Business Development (MOBD).

**Section 19 - MOITI Transfer to MOBD 3**

SECTION 19. Section 13B of said chapter 23A, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words ", the Massachusetts international trade office".

*Summary:*

This section and six additional sections propose to transfer the Massachusetts Office of International Trade and Investment (MOITI) from the Massachusetts Marketing Partnership to the Massachusetts Office of Business Development (MOBD).

**Section 20 - MOITI Transfer to MOBD 4**

SECTION 20. Paragraph (6) of section 13C of said chapter 23A, as so appearing, is hereby amended by striking out, in line 21, the words ", international trade".

*Summary:*

This section and six additional sections propose to transfer the Massachusetts Office of International Trade and Investment (MOITI) from the Massachusetts Marketing Partnership to the Massachusetts Office of Business Development (MOBD).

**Section 21 - MOITI Transfer to MOBD 5**

SECTION 21. Paragraph (11) of said section 13C of said chapter 23A, as so appearing, is hereby further amended, by striking out, in line 38, the words "and international trade".

*Summary:*

This section and six additional sections propose to transfer the Massachusetts Office of International Trade and Investment (MOITI) from the Massachusetts Marketing Partnership to the Massachusetts Office of Business Development (MOBD).

**Section 22 - MOITI Transfer to MOBD 6**

SECTION 22. Section 13K of said chapter 23A, as so appearing, is hereby amended by striking out, in line 1, the word "partnership," and inserting in place thereof the following word:- MOBD.

*Summary:*

This section and six additional sections propose to transfer the Massachusetts Office of International Trade and Investment (MOITI) from the Massachusetts Marketing Partnership to the Massachusetts Office of Business Development (MOBD).

**Section 23 - MOITI Transfer to MOBD 7**

SECTION 23. Section 13O of said chapter 23A, as so appearing, is hereby amended by striking out, in line 5, the word "partnership," and inserting in place thereof the following word:- MOBD.

*Summary:*

This section and six additional sections propose to transfer the Massachusetts Office of International Trade and Investment (MOITI) from the Massachusetts Marketing Partnership to the Massachusetts Office of Business Development (MOBD).

**Section 24 - EFSB and Unified Carrier Registration Trust Funds**

SECTION 24. Chapter 25 of the General Laws, as so appearing, is hereby amended by inserting, after section 12P, the following 2 sections:-

Section 12Q. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Department of Public Utilities Energy Facilities Siting Board Trust Fund, in this section referred to as the fund. The department shall credit to the fund: (i) in fiscal year 2019 and every fiscal year thereafter, all application fees collected pursuant to section 69J½ of chapter 164; (ii) such application fees collected in fiscal years prior to fiscal year 2019; and (iii) any income derived from the investment of amounts credited to the fund. All amounts credited to the fund shall be held in trust and shall be available for expenditure, without further appropriation, by the department for operation of the energy facilities siting board established pursuant to section 69H of said chapter 164. Any unexpended balance in the fund at the close of a fiscal year shall remain in the fund and shall be available for expenditure in the following fiscal year.

Section 12R. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Department of Public Utilities Unified Carrier Registration Trust Fund, in this section referred to as the fund. The department shall credit to the fund: (i) in fiscal year 2019 and every fiscal year thereafter, all application fees collected pursuant to section 10 of chapter 159B; (ii) such application fees collected in fiscal years prior to fiscal year 2019; and (iii) any income derived from the investment of amounts credited to the fund. All amounts credited to the fund shall be held in trust and shall be available for expenditure, without further appropriation, by the department for the regulation of motor carriers pursuant to said chapter 159B. Any unexpended balance in the fund at the close of a fiscal year shall remain in the fund and shall be available for expenditure in the following fiscal year.

*Summary:*

These sections would form two trust funds to hold existing revenue sources, thereby transforming the existing Energy Siting and Unified Carrier Registration retained revenue appropriations into two separate trust funds.

**Section 25 - New Chapter 29 Funds**

SECTION 25. Chapter 29 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 2VVVV the following 3 sections:-

Section 2WWWW. (a) There shall be established and set up on the books of the commonwealth a Debt and Long-Term Liability Reduction Trust Fund. The fund shall be administered by the secretary of administration and finance, in consultation with the treasurer and receiver-general. There shall be credited to the fund all monies received under subclause (i) of clause (2) of section 59 of chapter 23K.

Expenditures from the fund shall be made for the payment and prepayment of commonwealth debt and other long-term liabilities including but not limited to: (i) debt service payable by the commonwealth and the Massachusetts department of transportation; (ii) contract assistance payments secured by the full faith and credit of the commonwealth; (iii) payments pursuant to contracts established under section 38C; (iv) funding escrow accounts for the payments described in clauses (i), (ii) and (iii) hereof; (v) unfunded pension liabilities; (vi) other post-employment benefits; and (vii) other long-term liabilities. The comptroller may certify amounts for payment in anticipation of expected receipts; provided, however, that no expenditure shall be made from the fund which shall cause the fund to be deficient at the close of a fiscal year. Amounts credited to the fund shall not be subject to further appropriation. Money remaining in the fund at the close of a fiscal year shall not revert to the General Fund and shall be available for expenditure in subsequent fiscal years.

(b) An annual report to include expenditures made and income received by the fund shall be submitted to the clerks of the house of representatives and the senate, to the house and senate committees on ways and means, and to the house and senate committees on bonding, capital expenditures and state assets not later than December 1 of each year.

Section 2XXXX. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Underground Storage Tank Petroleum Product Cleanup Fund. There shall be credited to such fund: the fees imposed pursuant to subsection (A) of section 2 of chapter 21J in the manner set forth pursuant to clause (i) of subsection (C) of said section 2; any appropriation, grant, gift, or other contribution explicitly made to such fund; and any interest earned on monies within the fund.

Amounts credited to said fund shall be used, subject to appropriation, for the purposes set forth in chapter 21J. Before the calculation of the consolidated net surplus under said section 5C, the comptroller shall transfer any remaining fund balance to the Commonwealth Transportation Fund established in section 2ZZZ.

Section 2YYYY. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Safety Net Provider Trust Fund, which shall be administered by the secretary of health and human services. Monies from the trust fund may be expended for payments to qualifying providers under an approved federal waiver. Amounts credited to the trust fund shall not be subject to further appropriation.

*Summary:*

This section proposes three new Commonwealth funds. The first part creates a new Debt and Long-Term Liability Reduction Trust Fund, where 10% of the Category 1 gaming revenue funds will be deposited in accordance with the debt defeasance instruction in the gaming law. The second part re-constitutes the Underground Storage Tank Petroleum Products Cleanup Fund, to ensure that the Commonwealth's underground storage tank program continues to provide the assurance of financial stability for tank owners that the federal government requires. The third part establishes a trust fund called the Safety Net Provider Trust Fund for the purpose of disbursing a new supplemental payment category authorized under the 1115 waiver.

**Section 26 - Sick Leave Buyback 1**

SECTION 26. Section 31A of said chapter 29, as so appearing, is hereby amended by adding the following 2 subsections:-

(e) No employee of the commonwealth shall accrue more than 1,000 hours of unused sick leave credits.

(f) No employee of a public institution of higher education listed in section 5 of chapter 15A shall accrue more than 1,000 hours of unused sick leave credits.

*Summary:*

This section along with three others limits the accrual of unused sick time to 1,000 hours for executive branch and public higher education employees. It would also freeze the accrual of sick time for any employee who has already accrued more than 1,000 hours.

### **Section 27 - Records Conservation Board Membership**

SECTION 27. Section 42 of chapter 30 of the General Laws, as so appearing, is hereby amended by inserting in line 3, after the words "public records", the following words:- the secretary of technology services and security.

*Summary:*

This section adds a designee from the Executive Office of Technology Services and Security (EOTTS) to the Records Conservation Board, which would benefit from expertise in electronic records management.

### **Section 28 - Earned Income Tax Credit Increase**

SECTION 28. Subsection (h) of said section 6 of said chapter 62, as so appearing, is hereby amended by striking out, in lines 245 and 250, the word "23" and inserting in place thereof, in each instance, the following word:- 30.

*Summary:*

This section increases the Earned Income Tax Credit from 23 to 30 percent of the federal credit, with an effective date of January 1, 2019.

### **Section 29 - EMAC Supplement Tax Credit 1**

SECTION 29. Section 6 of chapter 62 of the General Laws, as so appearing, is hereby amended by adding the following subsection:-

(u)(1) As used in this subsection, the following words shall have the following meanings unless the context clearly indicates otherwise:

"ConnectorCare", a program administered by the commonwealth health insurance connector authority established pursuant to chapter 176Q to provide premium assistance payments and point-of-service cost-sharing subsidies to residents of the commonwealth eligible pursuant to said chapter 176Q.

"Employer Medical Assistance Contribution Supplement" or "EMAC Supplement", a monetary amount actually paid by a taxpayer to the department of unemployment assistance pursuant to section 189A of chapter 149.

"Employer Shared Responsibility Payment", a monetary amount actually paid by a taxpayer to the Internal Revenue Service pursuant to 26 U.S.C. § 4980H as an assessment for employees domiciled in the commonwealth.

"Full-time employee", shall have the same meaning as defined in 26 U.S.C. § 4980H(c)(4).

"Taxpayer", an employer as defined in section 1 of chapter 151A subject to the income tax under this chapter.

(2) Except as otherwise limited by paragraph (3), where a taxpayer pays both the EMAC supplement and the employer shared responsibility payment in the same taxable year, a taxpayer shall be allowed a refundable credit against the tax liability imposed under this chapter in an amount equal to \$750 times the lesser of: (i) the number of Massachusetts employees for which the taxpayer pays the employer shared responsibility payment in the taxable year, or (ii) the number of full-time employees on ConnectorCare for which the taxpayer pays the EMAC supplement in the taxable year.

(3) The aggregate amount of credit available to a taxpayer in a taxable year under this subsection shall not exceed the lesser of: (i) the aggregate employer shared responsibility payment paid by the taxpayer in the taxable year, or (ii) the aggregate EMAC supplement paid by the taxpayer in the taxable year for full-time employees on ConnectorCare.

(4) The taxpayer may claim the credit only in the taxable year in which the taxpayer pays both the EMAC supplement and the employer shared responsibility payment, without regard to the years or other periods for which liabilities for such payments accrued.

(5) Where the credit allowed to a taxpayer exceeds the liability otherwise due under this chapter, 100 per cent of the balance of that credit may, at the option of the taxpayer, be refunded to the taxpayer for the taxable year in which the credit is claimed or may be applied by the taxpayer to its estimated liability for the subsequent taxable year.

(6) The credit shall not be transferrable.

(7) For the purpose of this subsection, any deduction from gross income that may otherwise be taken with respect to any expenditures qualifying for the credit is disallowed to the extent that such expenditure is taken into account in the calculation of the credit.

(8) Notwithstanding the provisions of section 21 of chapter 62C and section 46 of chapter 151A, the department of unemployment assistance and the department of revenue shall conduct data matches for the purposes of administering this section.

(9) The commissioner shall, in consultation with the department of unemployment assistance, promulgate regulations to implement this section.

(10) The credit provided for in this subsection shall apply to taxable years beginning on or after January 1, 2018 and before January 1, 2020.

*Summary:*

This section, along with two companion sections, allows an employer who is required, in the same taxable year, to pay both the Employer Shared Responsibility Payment to the federal government for Massachusetts employees and the EMAC Supplement to the Commonwealth, to claim a refundable tax credit.

**Section 30 - EMAC Supplement Tax Credit 2**

SECTION 30. Chapter 63 of the General Laws is hereby amended by inserting after section 38FF the following section:-

Section 38GG. (a) As used in this section, the following words shall have the following meanings unless the context clearly indicates otherwise:

"ConnectorCare", a program administered by the commonwealth health insurance connector authority established pursuant to chapter 176Q to provide premium assistance payments and point-of-service cost-sharing subsidies to residents of the commonwealth eligible pursuant to said chapter 176Q.

"Employer Medical Assistance Contribution Supplement" or "EMAC Supplement", a monetary amount actually paid by a taxpayer to the department of unemployment assistance pursuant to section 189A of chapter 149.

"Employer Shared Responsibility Payment", a monetary amount actually paid by a taxpayer to the Internal Revenue Service pursuant to 26 U.S.C. § 4980H as an assessment for employees domiciled in the commonwealth.

"Full-time employee", shall have the same meaning as defined in 26 U.S.C. § 4980H(c)(4).

"Taxpayer", an employer as defined in section 1 of chapter 151A subject to an excise imposed by this chapter.

(b) Except as otherwise limited by subsection (c), where a taxpayer pays both the EMAC supplement and the employer shared responsibility payment in the same taxable year, a taxpayer shall be allowed a refundable credit against the tax liability imposed under this chapter in an amount equal to \$750 times the lesser of: (i) the number of Massachusetts employees for which the taxpayer pays the employer shared responsibility payment in the taxable year, or (ii) the number of full-time employees on ConnectorCare for which the taxpayer pays the EMAC supplement in the taxable year.

(c) The aggregate amount of credit available to a taxpayer in a taxable year under this section shall not exceed the lesser of: (i) the aggregate employer shared responsibility payment paid by the taxpayer in the taxable year, or (ii) the aggregate EMAC supplement paid by the taxpayer in the taxable year for full-time employees on ConnectorCare.

(d) The taxpayer may claim the credit only in the taxable year in which the taxpayer pays both the EMAC supplement and the employer shared responsibility payment, without regard to the years or other periods for which liabilities for such payments accrued.

(e) Where the credit allowed to a taxpayer exceeds the liability otherwise due under this chapter, 100 per cent of the balance of that credit may, at the option of the taxpayer, be refundable to the taxpayer for the taxable year in which the credit is claimed or may be applied by the taxpayer to its estimated liability for the subsequent taxable year. The credit allowed to a taxpayer shall not be subject to section 32C.

(f) The credit shall not be transferrable.

(g) For the purpose of this section, any deduction from gross income that may otherwise be taken with respect to any expenditures qualifying for the credit under this section is disallowed to the extent that such expenditure is taken into account in the calculation of the credit.

(h) Notwithstanding the provisions of section 21 of chapter 62C and section 46 of chapter 151A, the department of unemployment assistance and the department of revenue shall conduct data matches for the purposes of administering this section.

(i) The commissioner shall, in consultation with the department of unemployment assistance, promulgate regulations to implement this section.

(j) The credit provided for in this section shall apply to taxable years beginning on or after January 1, 2018 and before January 1, 2020.

*Summary:*

This section, along with two companion sections, allows an employer who is required, in the same taxable year, to pay both the Employer Shared Responsibility Payment to the federal government for Massachusetts employees and the EMAC Supplement to the Commonwealth, to claim a refundable tax credit.

### **Section 31 - Safe Cigarette Penalty Fund Language**

SECTION 31. Section 2F of chapter 64C of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:-

The fund shall consist of all monies recovered as penalties for violations under section 2E or as settlement of a claim that a person violated said section 2E.

*Summary:*

This section allows the Fire Prevention and Public Safety Fund to receive the proceeds of settlements of claims that a person violated testing and performance standard requirements for cigarettes, in addition to receiving penalties assessed for such violations.

### **Section 32 - Room Occupancy Tax Changes 1**

SECTION 32. Chapter 64G of the General Laws is hereby amended by striking out sections 1 to 12, inclusive, as so appearing, and inserting in place thereof the following 11 sections:-

Section 1. As used in this chapter the following words shall, unless the context requires otherwise, have the following meanings:

(a) "Bed and breakfast establishment", a private owner-occupied house where 4 or more rooms or units are let and a breakfast is included in the rent, and all accommodations are reserved in advance.

(b) "Bed and breakfast home", a private owner-occupied house where 3 or fewer rooms or units are let and a breakfast is included in the rent, and all accommodations are reserved in advance.

(c) "Commissioner", the commissioner of revenue.

(d) "Hosting Platform", a service through any third-party website, software, online-enabled application, mobile phone application or some other similar electronic process that allows: (i) an operator to advertise, list or offer the use of any accommodation subject to the excise under this chapter in exchange for rent; (ii) an operator to collect the payment of rent on any accommodation; and (iii) a person to arrange, book, reserve or rent an accommodation.

- (e) "Hotel", any building used for the feeding and lodging of guests licensed or required to be licensed under the provisions of section 6 of chapter 140. For purposes of this chapter, (i) a "hotel" shall also include an owner-occupied or a tenant-occupied property where 1 or more rooms or units is let to an occupant or sub-occupant, all accommodations are reserved in advance, and where the owner or tenant has let, cumulatively, any room or rooms or other rental unit or units owned by such owner or tenant, for a total of 150 days or more during the previous calendar year, and (ii) a private owner-occupied house shall be considered a single unit if leased or rented as such.
- (f) "Intermediary", any person or entity, other than an operator, that facilitates the sale, use or possession of an occupancy and charges a room charge to the general public. For purposes of this definition, the term "facilitates" means brokers, coordinates or in any other way arranges for the purchase, sale, use or possession of occupancies by the general public. The term "intermediary" shall also include a hosting platform and operator's agent.
- (g) "Lodging house", a house where lodgings are let to 4 or more persons not within the second degree of kindred to the person conducting it, licensed or required to be licensed under section 23 of chapter 140.
- (h) "Motel", any building or portion thereof, other than a hotel or lodging house, in which persons are lodged for hire with or without meals and which is licensed or required to be licensed under the provisions of section 32B of chapter 140, or is a private club.
- (i) "Occupancy", the use or possession, or the right to the use or possession, of any room or rooms in a bed and breakfast establishment, hotel, lodging house or motel designed and normally used for sleeping and living purposes, or the right to the use or possession of the furnishings or the services and accommodations, including breakfast in a bed and breakfast establishment, accompanying the use and possession of such room or rooms, for a period of 90 consecutive calendar days or less, regardless of whether such use and possession is as a lessee, tenant, guest or licensee.
- (j) "Occupant", a person who, for rent, uses, possesses or has a right to use or possess, any room or rooms in a bed and breakfast establishment, hotel, lodging house or motel under any lease, concession, permit, right of access, license or agreement.
- (k) "Operator", any person operating a bed and breakfast establishment, hotel, lodging house or motel in the commonwealth including, but not limited to, the owner or proprietor of such premises, the lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such bed and breakfast establishment, hotel, lodging house or motel.
- (l) "Operator's agent", a person including, but not limited to, a property manager, property management company or real estate agent who on behalf of an operator of a bed and breakfast establishment or lodging house: (i) manages the operation or upkeep of a property offered for rent; or (ii) books reservations at a property offered for rent.
- (m) "Person", includes an individual, partnership, trust or association, with or without transferable shares, joint-stock company, corporation, society, club, organization, institution, estate, receiver, trustee, assignee or referee and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, or any combination of individuals acting as a unit.
- (n) "Rent", the total consideration paid by or on behalf of an occupant to (i) an operator or (ii) an intermediary collecting and remitting the excise on behalf of an operator under section 10, for occupancy, valued in money, whether received in money or otherwise, including all receipts, cash, credits and property or services of any kind or nature and also any amount for which credit is allowed by the operator to the occupant without any deduction therefrom whatsoever.

Section 2. The provisions of this chapter shall not be construed to include (a) lodging accommodations at federal, state or municipal institutions; (b) lodging accommodations, including dormitories, at religious, charitable, educational and philanthropic institutions; provided, however, that this exemption shall not apply to accommodations provided by any such institution at a hotel or motel generally open to the public and operated by the institution; (c) privately owned and operated convalescent homes or homes for the aged, infirm, indigent or chronically ill; (d) religious or charitable homes for the aged, infirm, indigent or chronically ill; (e) summer camps for children eighteen years of age or under or developmentally disabled individuals; provided, however, that such summer camp which offers its facilities off-season to individuals sixty years of age or over for a period not to exceed 30 days in any calendar year shall not lose its exemption hereunder; and (f) bed and breakfast homes.

For the purposes of this section a developmentally disabled individual shall mean an individual who has a severe chronic disability which:

(A) is attributable to a mental or physical impairment or combination of mental and physical impairments;

(B) is likely to continue indefinitely;

(C) results in substantial functional limitations in three or more of the following areas of major life activity: (i) self-care; (ii) receptive and expressive language; (iii) learning; (iv) mobility; (v) self-direction; (vi) capacity for independent living; and (vii) economic self-sufficiency; and

(D) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated.

Section 3. An excise is hereby imposed upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house, or motel in this commonwealth by any operator at the rate of 5 per cent of the total amount of rent for each such occupancy. No excise shall be imposed if the total amount of rent is less than \$15 per day or its equivalent.

The operator shall pay the excise to the commissioner at the time provided for filing the return required by section 16 of chapter 62C.

Section 3A. Any city or town which accepts the provisions of this section shall be authorized to impose a local excise tax upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house or motel located within such city or town by any operator at a rate up to, but not exceeding, 6 per cent of the total amount of rent for each such occupancy; provided, however, that the city of Boston is hereby authorized to impose such local excise upon the transfer of occupancy of any room in a bed and breakfast establishment, hotel, lodging house or motel located within said city by any operator at the rate of up to but not exceeding 6.5 per cent of the total amount of rent of each such occupancy. No excise shall be imposed if the total amount of rent is less than \$15 per day or its equivalent or if the accommodation is exempt under the provisions of section 2 of this chapter. The operator shall pay the local excise tax imposed under the provisions of this section to the commissioner at the same time and in the same manner as the excise tax due the commonwealth. All sums received by the commissioner under this section as excise, penalties or forfeitures, interest, costs of suit and fines shall at least quarterly be distributed, credited and paid by the state treasurer upon certification of the commissioner to each city or town that has adopted the provisions of this section in proportion to the amount of such sums received from the transfer of occupancy in each such city or town. This section shall only take effect in a city or town accepting the provisions of this section by a majority vote of the city council with the approval of the mayor, in the case of a city with a Plan A, Plan B, or Plan F charter; by a majority vote of the city council, in the case of a city with a Plan C, Plan D, or Plan E charter; by a majority vote of the annual town meeting or a special meeting called for the purpose, in the case of a municipality with a town meeting form of government; or by a majority vote of

the town council, in the case of a municipality with a town council form of government. The provisions of this section shall take effect on the first day of the calendar quarter following 30 days after such acceptance, or on the first day of such later calendar quarter as the city or town may designate. The city or town, in accepting the provisions of this section, may not revoke or otherwise amend the applicable local tax rate more often than once in any 12 month period.

The commissioner shall make available to any city or town requesting such information the total amount of room occupancy tax collected in the preceding fiscal year in the city or town requesting the information.

Section 4. Except as provided in section 10, reimbursement for the excise hereby imposed shall be paid by the occupant of such room or rooms to the operator and each operator in this commonwealth shall add to the rent and shall collect from the occupant the full amount of the excise imposed by this chapter, or an amount equal as nearly as possible or practical to the average equivalent thereof; and such excise shall be a debt from the occupant to the operator, when so added to the rent, and shall be recoverable at law in the same manner as other debts.

Section 5. The amount of the excise collected by the operator from the occupant under the provisions of this chapter shall be stated and charged separately from the rent and shown separately on any record thereof at the time the transfer of occupancy is made, or on any evidence of such transfer issued or used by the operator.

Section 6. No person shall operate a bed and breakfast establishment, hotel, lodging house or motel in this commonwealth unless a certificate of registration has been issued to him in accordance with section 67 of chapter 62C.

Section 7. Any operator who has paid to the commissioner an excise under section 3 upon an account later determined to be worthless shall be entitled to an abatement of the excise paid on such worthless account. Such claim for abatement shall be filed on or before April 15 of each year, covering the amount of the excise on such accounts determined to be worthless in the prior calendar year.

Any operator who shall recover an excise on an account previously determined to be worthless, for which an application for abatement has been filed, shall report and include the same in his monthly return at the time of recovery.

Section 8. Every operator who fails to pay to the commissioner any sums required to be paid by this chapter shall be personally and individually liable therefor to the commonwealth. The term "operator", as used in this section, includes an officer or employee of a corporation, or a member or employee of a partnership or a limited liability company, who as such officer, employee or member is under a duty to pay over the taxes imposed by this chapter.

An operator who misrepresents to an intermediary that the transfer of occupancy of the operator's property is exempt from the excise imposed under section 3 and section 3A shall be liable for any unpaid excise under these sections and shall have committed an unfair trade practice under chapter 93A in making such a misrepresentation to the intermediary.

Section 9. No excise shall be imposed, pursuant to this chapter, upon the transfer of occupancy of any room or rooms in a hotel, lodging house or motel if the occupant is an employee of the United States military traveling on official United States military orders which encompass the date of said occupancy. Each operator shall maintain such records as the commissioner shall require to substantiate exemptions claimed under this section.

Section 10. (a) An operator may elect to allow an intermediary to collect rent or facilitate the collection or payment of rent on their behalf through a written agreement on an accommodation subject to the excise under this chapter. An intermediary that enters into a written agreement with the operator to

collect rent or facilitate the collection or payment of rent on behalf of the operator on an accommodation subject to the excise under this chapter shall: (i) apply for and obtain a certificate of registration from the commissioner in accordance with section 67 of chapter 62C on behalf of the operator; and (ii) assess, collect, report and remit the excise to the commissioner as described for operators in sections 3, 3A, 5, 7, 8 and 9. The certificate of registration obtained from the commissioner under this subsection shall identify and be in the name of the individual operator, not the intermediary.

(b) An intermediary collecting and remitting the excise on behalf of an operator shall provide notification within a reasonable time to the operator that the excise has been collected and remitted to the commissioner under section 3. The notification may be delivered in-hand or by mail or conveyed by electronic message, mobile or smart phone application or some other similar electronic process, digital media or communication portal. An operator shall not be responsible for collecting and remitting the excise on any transaction for which it has received notification from an intermediary that the excise has been collected and remitted to the commissioner on their behalf.

(c) The commissioner may enter into a voluntary collection agreement with an intermediary required to remit the excise under subsection (a) who is willing to assume liability for the collection and remittance of the excise imposed under this chapter on behalf of the operators that the intermediary represents. The intermediary shall not be liable for any faults in collecting or remitting the excise caused by the hosting platform's or operator's agent's reasonable reliance on representations made to it by the operator about the nature of the property being rented, the duration of the occupancy or other similar misrepresentations made by the operator to the hosting platform or operator's agent. The operator shall be liable for any unpaid excise resulting from any such misrepresentations. An intermediary shall not be liable for any over collection of the excise if the excise collected was remitted to the commissioner and if the over collection resulted from the intermediary's reasonable reliance on the operator's representations about the nature of the property being rented, about the nature of the occupancy or whether such property was exempt from the excise. The operator shall be liable for any monetary damages to the occupant resulting from any such misrepresentations.

The commissioner may promulgate rules or regulations for the assessing, reporting, collecting, remitting and enforcement of the room occupancy excise under this section.

*Summary:*

This collection of proposed amendments to Chapter 64G will level the playing field in the accommodations industry by obligating those individuals or businesses who are running hotel-like businesses to collect and remit the room occupancy tax. The existing occupancy tax (state level of 5.7%) will be applied to any provider of transient accommodations who provides 150 days or more of accommodation in a given calendar year. Such property operators would be required to register with DOR, and to collect and remit occupancy tax in the following calendar year. The amendments would also authorize an intermediary to collect and remit the occupancy tax on behalf of an operator under an agreement with the Commissioner of Revenue. In addition, under a separate section, the Commissioner of Revenue would be authorized to enter into agreements with intermediaries serving the transient accommodation market, for the collection of occupancy tax on behalf of all property owners the intermediary represents.

### **Section 33 - Leased Vehicle Registration Renewals 1**

SECTION 33. Section 1 of Chapter 90 of the General Laws, as so appearing, is hereby amended by adding, in the definition of "Owner", the following sentence:- Notwithstanding that a lessee of a motor vehicle or trailer may not be considered an owner of such vehicle, the registrar may allow the registration and renewal of such registration directly by a lessee under section 2.

*Summary:*

This section and the subsequent section will align the RMV's process with standard industry practice by enabling the lessee of a vehicle to handle vehicle registration renewals, rather than requiring the renewals to be processed only by the actual owner of the vehicle.

### **Section 34 - Leased Vehicle Registration Renewals 2**

SECTION 34. Section 2 of said chapter 90, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following 3 sentences:- Applications for the registration or renewal of registration of motor vehicles and trailers may be made by the owner thereof, except that the registrar may accept applications for registration or renewal from and furnish registration documents directly to the lessee of a vehicle if the registrar is satisfied of the existence of the lease in the name of the applicant. The registration shall identify the name and address of the lessor as owner of the vehicle and the name and residential address of the lessee as registrant and such registration shall be mailed directly to the lessee with notice or a copy to the lessor-owner. Providing registration documents directly to the lessee shall in no way extinguish any valid ownership interest in the vehicle by the leasing company.

*Summary:*

This section and the previous section will align the RMV's process with standard industry practice by enabling the lessee of a vehicle to handle vehicle registration renewals, rather than requiring the renewals to be processed only by the actual owner of the vehicle.

### **Section 35 - Civil Motor Vehicle Citations 1**

SECTION 35. Section 3 of chapter 90C of the General Laws, as so appearing, is hereby amended by striking out the first paragraph of clause (A)(4) and inserting in place thereof the following paragraph:- A violator may contest responsibility for the infraction by making a signed request for a noncriminal hearing on the citation and mailing such citation, together with a \$25 court filing fee, to the registrar at the address indicated on the citation within 20 days of the citation. Notwithstanding any general or special law to the contrary, the registrar, in cooperation with the state comptroller, upon receipt of the \$25 court filing fee, shall cause the court filing fee to be transferred to the trial court department; provided, however, that the registrar may periodically retain an amount necessary to pay refunds of said fees for dispositions that result in findings of not responsible; and provided further that the registrar may retain an amount not greater than \$200,000 annually for personnel costs associated with the processing of those filing fees.

*Summary:*

This section and the subsequent section will facilitate the refund of the court filing fee that is paid when a motorist contests responsibility for a civil motor vehicle infraction, if the motorist is ultimately found not responsible after a clerk magistrate's hearing.

### **Section 36 - Civil Motor Vehicle Citations 2**

SECTION 36. Said section 3 of said chapter 90C is hereby further amended by inserting after the word "responsible", in line 85, the following words:- which shall be communicated to the registrar.

*Summary:*

This section and the previous section will facilitate the refund of the court filing fee that is paid when a motorist contests responsibility for a civil motor vehicle infraction, if the motorist is ultimately found not responsible after a clerk magistrate's hearing.

### **Section 37 - Laboratory Analysis of Cocaine**

SECTION 37. Section 31 of chapter 94C of the General Laws, as amended by section 30 of chapter 52 of the acts of 2016, is hereby further amended by striking out clause (4) of paragraph (a) of Class B and inserting in place thereof the following clause:- (4) Coca leaves, and the salts, optical and geometric isomers and salts of isomers, excluding coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; of cocaine, ecgonine, pseudococaine, allococaine and pseudoallococaine, their derivatives, their salts, isomers and salts of their isomers; or any compound, mixture, or preparation which contains any quantity of any of the substances referred to in this paragraph.

*Summary:*

Current law defines cocaine as coming from a plant, requiring the State Police lab to conduct a separate test to confirm that each sample of cocaine it analyzes is not synthetically produced. This section brings our statutory definition of cocaine in line with that of the majority of states, eliminating the need for that separate test and realizing associated cost, time and resource savings at the lab.

### **Section 38 - Public Health Grant Trust Fund**

SECTION 38. Chapter 111 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 2I the following section:-

Section 2J. There shall be established and set up on the books of the commonwealth a Public Health Grant Trust Fund, in this section referred to as the fund. The commissioner shall administer the fund for the purpose of collaborating with non-profit organizations to participate in competitive grant opportunities in furtherance of the mission of the department.

There shall be credited to the fund monies received from public and private sources to support a public health competitive grant opportunity, consistent with the mission of the department. Amounts credited to the fund shall not be subject to further appropriation. Monies remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year.

The commissioner shall report annually on the activities of the fund to the clerks of the house and senate and the house and senate committees on ways and means.

*Summary:*

This section creates a trust fund called the Public Health Grant Trust Fund to be administered by the Department of Public Health for the purpose of collaborating with non-profit organizations to participate in competitive grant opportunities.

### **Section 39 - Reputable Dental College Technical Correction 1**

SECTION 39. Section 45A of chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in lines 4 and 5, the words "the faculty of a reputable dental college as defined in section forty-six" and inserting in place thereof the following words:- a dental college approved by the board.

*Summary:*

This section and the subsequent section permit the Board of Dentistry to confer a limited license to practice dentistry on a foreign educated applicant who, in addition to satisfying the other statutory requirements, has received a degree from a dental college approved by the Board.

### **Section 40 - Reputable Dental College Technical Correction 2**

SECTION 40. Section 46 of said chapter 112 is hereby repealed.

*Summary:*

This section and the previous section permit the Board of Dentistry to confer a limited license to practice dentistry on a foreign educated applicant who, in addition to satisfying the other statutory requirements, has received a degree from a dental college approved by the Board.

### **Section 41 - Canadian Nurse Reciprocity Technical Correction**

SECTION 41. Said chapter 112 is hereby further amended by striking out section 76B, as so appearing, and inserting in place thereof the following section:-

Section 76B. (a) A person who satisfies the following requirements shall be deemed to have met the standards for the licensing of nurses in the commonwealth and shall be licensed in the commonwealth without examination: a person who (i) has taken and passed an examination approved by the board and conducted in the English language; (ii) has been registered by a province of Canada; (iii) meets the eligibility requirements of clinical and theoretical study as determined by the board; (iv) furnishes to the board satisfactory proof of good moral character; and (v) has graduated from a school of nursing approved by the board of nursing in the jurisdiction in which the applicant was originally registered.

(b) A person who has taken and passed an examination approved by the board and conducted in a language other than English who satisfies the following requirements shall be deemed to have met standards for the licensing of nurses in the commonwealth and shall be licensed in the commonwealth without examination: a person who (i) has taken and passed a test of English proficiency approved by the board; (ii) has been registered by a province of Canada; (iii) meets the eligibility requirements of clinical and theoretical study as determined by the board; (iv) furnishes to the board satisfactory proof of good moral character; and (v) has graduated from a school of nursing approved by the board of nursing in the jurisdiction in which the applicant was originally registered.

*Summary:*

This section eliminates an obsolete testing requirement as a prerequisite for nurses certified in Canada to receive a nursing license in the Commonwealth.

## Section 42 - MassHealth Drug Pricing 1

SECTION 42. Chapter 118E of the General Laws is hereby amended by inserting after section 12 the following section:-

Section 12A. (a) Notwithstanding any general or special law to the contrary and subject to required federal approvals, the executive office of health and human services may directly negotiate supplemental rebate agreements with manufactures of prescribed drugs without regard to any otherwise applicable requirements set forth in 801 CMR 21.00 or any successor regulation in order to maximize value to the commonwealth, including agreements that utilize guaranteed net prices based on the public health value of such drugs as determined by an independent third party designated by the secretary of health and human services, or another appropriate measure of value.

(b) In the event a manufacturer of such drugs and the executive office are unable to successfully conclude negotiations for a supplemental rebate agreement pursuant to subsection (a), the secretary may require the manufacturer to disclose within a reasonable time any records that describe or relate to the manufacturer's pricing of any such drugs. Such records shall be exempt from the public records law, but the secretary may prepare and produce a report summarizing such records to the extent allowable under applicable state and federal law, and may hold a public hearing at which the manufacturer is required to appear and testify.

(c) In the event the drug manufacturer does not comply with the secretary's request for records under subsection (b), the secretary may impose appropriate sanctions against the drug manufacturer, including reasonable monetary penalties.

(d) If, after review of any records furnished to the executive office under subsection (b), the executive office and manufacturer are unable to successfully conclude negotiations for a supplemental rebate agreement and the secretary determines that the drug manufacturer's pricing of the drug is unreasonable or excessive, the secretary may impose appropriate sanctions against the drug manufacturer, including reasonable monetary penalties.

(e) The executive office shall adopt any written policies, procedures or regulations the secretary determines necessary to implement this section.

### *Summary:*

This section allows MassHealth to negotiate supplemental rebate agreements directly with drug manufacturers and gives MassHealth additional tools to encourage manufacturers to engage in good faith negotiations, including reporting requirements and potentially sanctions on manufacturers that refuse to enter into such agreements.

## Section 43 - Nursing Facility Assessment

SECTION 43. Subsection (b) of section 63 of said chapter 118E, as appearing in the 2016 Official Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The assessment shall be sufficient in the aggregate to generate in each fiscal year the lesser of \$240,000,000, or an amount equal to 6 per cent of the revenues received by the taxpayer, as the term "revenues received by the taxpayer" is defined in 42 C.F.R. § 433.68(f)(3)(i)(A).

### *Summary:*

This section authorizes MassHealth to maintain the current Nursing Facility User Fee assessment.

### **Section 44 - LLC Filing Fees**

SECTION 44. Section 12 of chapter 156C of the General Laws, as so appearing, is hereby amended by striking out, in line 42, the words "five hundred dollars" and inserting in place thereof the following figure:- \$250.

*Summary:*

This section reduces the filing fee for a certificate of organization for a limited liability company (i.e., for forming an LLC) from its current statutory amount of \$500 to \$250.

### **Section 45 - TAFDC Reform 3**

SECTION 45. Subsection (b) of section 110 of chapter 5 of the acts of 1995, as amended by section 123 of chapter 133 of the acts of 2016, is hereby further amended by striking out the words, "Subject to federal approval of a waiver, a family shall be eligible for assistance provided its maximum allowable countable resources do not exceed two thousand five hundred dollars" and inserting in place thereof the following words:- A family shall be eligible for assistance provided its maximum allowable countable resources do not exceed \$5,000.

*Summary:*

This section increases the Transitional Aid to Families with Dependent Children (TAFDC) asset cap from \$2,500 to \$5,000.

### **Section 46 - TAFDC Reform 4**

SECTION 46. Said section 110 of said chapter 5, as amended by section 124 of chapter 133 of the acts of 2016, is hereby further amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) An earnings disregard of earned income shall be provided to both exempt and nonexempt families, such that a recipient shall be eligible to have 100 per cent of the remaining gross earned income, before dependent care deductions, disregarded for 6 consecutive months immediately following the start of initial employment, provided that total income does not exceed 200 per cent of the federal poverty level for the household size. Such recipient shall also be eligible to have 50 per cent of the remaining gross income disregarded following the initial 6 month period of earnings disregard, provided that total income does not exceed 200 per cent of the federal poverty level for the household size.

*Summary:*

This section simplifies the TAFDC grant structure by eliminating the reduction for working recipients' grants. This section also, together with the next section, reduces the cliff effect for a family that goes back to work while receiving TAFDC.

### **Section 47 - TAFDC Reform 5**

SECTION 47. Subsection (g) of said section 110 of said chapter 5, as amended by section 125 of chapter 133 of the acts of 2016, is hereby further amended by striking out the paragraph, "A recipient, or an applicant who has received transitional aid to families with dependent children within the last 4 calendar months, shall be eligible to have 50 per cent of the remaining gross earned income, after work-related expenses but before dependent care deductions, disregarded for the entire period that such recipient is eligible for assistance."

*Summary:*

This section, together with the previous section, reduces the cliff effect for a family that goes back to work while receiving TAFDC.

### **Section 48 - MBTA Capital Budget**

SECTION 48. Section 203 of chapter 46 of the acts of 2015 is hereby amended by striking out the words "which facilitate the transfer of all employees of the authority from the capital budget to the operating budget" and inserting in place thereof the following words:- which facilitate the funding of costs incurred by the authority from the capital budget or the operating budget, in accordance with government accounting standards and applicable state finance and federal law.

*Summary:*

This section would permit the MBTA to keep the costs of employees who work on the design and construction of capital projects on the capital budget, consistent with government accounting standards and with federal reporting requirements for capital labor.

### **Section 49 - Sales Tax Modernization 1**

SECTION 49. Section 94 of chapter 47 the acts of 2017 is hereby amended by inserting after the words "commissioner of revenue shall", in line 1119, the following words:- , not later than May 31, 2021,.

*Summary:*

This section requires the Commissioner of Revenue to promulgate regulations by May 31, 2021 so as to require third-party processors (predominantly credit card companies) to remit to the Commonwealth, on a daily basis, the portion of a sale that is attributable to sales tax. There would be no change to the current schedule for reporting and remitting the sales tax for cash sales. Under a companion section, the Department of Revenue would be required to treat sales tax revenue remitted in July as revenue for the previous fiscal year for fiscal years 2019 and 2020.

### **Section 50 - Department of Conservation and Recreation Parks Pass 1**

SECTION 50. Section 133 of said chapter 47, as amended by section 43 of chapter 110 of the acts of 2017, is hereby further amended by striking out, in the first sentence, the words "an annual MassParks pass and a senior MassParks pass to cover fees for parking for 1 calendar year at state-owned" and inserting in place thereof the following words:- MassParks passes to cover fees for parking at designated.

*Summary:*

This section and the subsequent section would clarify that the MassParks passes, which are now available at RMV locations as a result of section 133 of the fiscal year 2018 GAA, cover parking fees at designated DCR park facilities.

### **Section 51 - Department of Conservation and Recreation Parks Pass 2**

SECTION 51. Said section 133 of said chapter 47, as so amended, is hereby further amended by striking out, in the third sentence, the words "annual MassParks and annual senior".

*Summary:*

This section and the previous section would clarify that the MassParks passes, which are now available at RMV locations as a result of section 133 of the fiscal year 2018 GAA, cover parking fees at designated DCR park facilities.

### **Section 52 - Trial Court Transferability**

SECTION 52. Notwithstanding clause (xiii) of the third paragraph of section 9A of chapter 211B of the General Laws or any other general or special law to the contrary, the court administrator may, from the effective date of this act to April 30, 2019, inclusive, transfer funds from any item of appropriation within the trial court; provided, however, that the court administrator shall not transfer more than 5 per cent of funds from items 0339-1001 and 0339-1003 to any other item of appropriation within the trial court. The transfers shall be made in accordance with schedules submitted to the house and senate committees on ways and means. The schedules shall include: (i) the amount of money transferred from any item of appropriation to any other item of appropriation; (ii) the reason for the necessity of the transfer; and (iii) the date on which the transfer shall be completed. A transfer under this section shall not occur until 10 days after the revised funding schedules have been submitted in writing to the house and senate committees on ways and means.

*Summary:*

This section authorizes the trial court to transfer appropriations within its divisions, as long as such transfers are executed by April 30, 2019. It would also limit transfers from the appropriations for probation and community corrections to 5% of those appropriations. The section requires ten days advance notice to the House and Senate Committees on Ways and Means before a transfer under this section can be executed.

### **Section 53 - Other Post-Employment Benefits Liability**

SECTION 53. (a) Notwithstanding any general or special law to the contrary, the unexpended balances in items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 shall be deposited into the State Retiree Benefits Trust Fund established in section 24 of chapter 32A of the General Laws prior to determining the fiscal year 2019 consolidated net surplus under section 5C of chapter 29 of the General Laws. The amount deposited shall be an amount equal to 10 per cent of all payments received by the commonwealth in fiscal year 2018 under the master settlement agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior Court, No. 95-7378; provided, however, that if in fiscal year 2019 the unexpended balances of said items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 are less than 10 per cent of all payments received by the commonwealth in fiscal year 2019 under the master settlement agreement payments, an amount equal to the difference shall be transferred to the State Retiree Benefits Trust Fund from payments received by the commonwealth under the master settlement agreement.

(b) Notwithstanding any general or special law to the contrary, the percentage increase set forth in section 152 of chapter 68 of the acts of 2011 shall not apply in fiscal year 2019.

*Summary:*

This section authorizes the use of debt service reversions to pay for OPEB funding. If debt service reversions are insufficient to cover the required funding, tobacco settlement proceeds would be used to make up that deficiency.

### **Section 54 - FY 2018 Consolidated Net Surplus**

SECTION 54. Notwithstanding any general or special law to the contrary, prior to transferring the consolidated net surplus in the budgetary funds to the Commonwealth Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2018 as follows: (i) transfer  $\frac{1}{2}$  of the surplus, not to exceed \$10,000,000, to the Massachusetts Life Sciences Investment Fund established in section 6 of chapter 23I of the General Laws; and (ii) transfer  $\frac{1}{2}$  of the surplus, not to exceed \$10,000,000, to the Massachusetts Community Preservation Trust Fund established in section 9 of chapter 44B of the General Laws.

*Summary:*

This section requires a transfer of up to \$10 million from any consolidated net surplus in fiscal year 2018 to the Community Preservation Trust Fund, and up to \$10 million to the Massachusetts Life Sciences Center, before the remaining funds are deposited into the Stabilization Fund.

**Section 55 - FY 2019 Stabilization Fund Deposit**

SECTION 55. For fiscal year 2019, the comptroller may transfer \$88,000,000, or such larger amount as may be required, to the Commonwealth Stabilization Fund established in section 2H of chapter 29 of the General Laws, in the manner described in section 5G of said section 29; then, to the extent available, transfer \$4,400,000 of the amount transferred to the State Retiree Benefits Trust Fund, and transfer \$4,400,000 of the amount transferred to the Commonwealth's Pension Liability Fund, each as specified in the third paragraph of said section 5G of said chapter 29, resulting in a deposit under this section of not less than \$79,200,000 to the Commonwealth Stabilization Fund.

*Summary:*

This section describes the anticipated effect of transfers to the Stabilization Fund under Section 5G of Chapter 29 of the General Laws, and that the other transfers required in that section (5% of the total transfer to OPEB, 5% of the total transfer to pension liability) will then be made from that transfer.

**Section 56 - Gaming Revenues**

SECTION 56. Notwithstanding any general or special law to the contrary, in fiscal year 2019, the amounts of category 1 gaming revenue specified in subclauses (i) and (j) of clause (2) of section 59 of chapter 23K of the General Laws shall be transferred as follows: 15 per cent specified in said subclause (i) shall be credited to the Commonwealth Transportation Fund established pursuant to section 2ZZZ of chapter 29 of the General Laws; and 10 per cent specified in said subclause (j) shall be credited to the Debt and Long-Term Liability Reduction Trust Fund established pursuant to section 2WWWW of said chapter 29.

*Summary:*

This section directs category 1 gaming revenue specified for transportation infrastructure and development and debt reduction purposes to the Commonwealth Transportation Fund and a newly created Debt and Long-Term Liability Reduction Trust Fund .

**Section 57 - Pension Cost of Living Adjustment**

SECTION 57. Notwithstanding any general or special law to the contrary, the amounts transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be made available for the Commonwealth's Pension Liability Fund established in section 22 of said chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said chapter 32, including retirement benefits payable by the state employees' retirement system and the state teachers' retirement system, for the costs associated with a 3 per cent cost-of-living adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local retirement systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The state board of retirement and each city, town, county and district shall verify these costs, subject to rules that shall be adopted by the state treasurer. The state treasurer may make payments upon a transfer of funds to reimburse certain cities and towns for pensions of retired teachers, including any other obligation that the commonwealth has assumed on behalf of a retirement system other than the state employees' retirement system or state teachers' retirement system, including the commonwealth's share of the amounts to be transferred pursuant to section 22B of said chapter 32. The payments under this section shall be made only pursuant to distribution of money from the Commonwealth's Pension Liability Fund and any distribution, and the payments for which distributions are required, shall be detailed in a written report filed quarterly by the

secretary of administration and finance with the chairs of the senate and house committees on ways and means and the chairs of the joint committee on public service in advance of the distribution. Distributions shall not be made in advance of the date on which a payment is actually to be made. If the amount transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual pension obligations, the excess amount shall be credited to the Pension Reserves Investment Trust Fund established in subdivision (8) of said section 22 of said chapter 32 to reduce the unfunded pension liability of the commonwealth.

*Summary:*

This annual section explains how the Commonwealth is fulfilling its various obligations to the state retirement system, including the obligation to fund a 3% cost-of-living adjustment on the first \$13,000 of a retiree's annual retirement allowance.

**Section 58 - EMAC Supplement Tax Credit 3**

SECTION 58. A taxpayer may claim a credit in a taxable year pursuant to subsection (u) of section 6 of chapter 62 of the General Laws, as inserted by section 29, or section 38GG of chapter 63 of the General Laws, as inserted by section 30, but not both. Any EMAC supplement or employer shared responsibility payment may not be taken into account in calculating more than 1 credit by a taxpayer or combination of taxpayers. The terms used in this section shall have the meanings defined in said subsection (u) of said section 6 of said chapter 62 and said section 38GG of said chapter 63.

*Summary:*

This section, along with two companion sections, allows an employer who is required, in the same taxable year, to pay both the Employer Shared Responsibility Payment to the federal government for Massachusetts employees and the EMAC Supplement to the Commonwealth, to claim a refundable tax credit.

**Section 59 - Room Occupancy Tax Changes 2**

SECTION 59. Notwithstanding any provision of chapter 64G, an intermediary as defined in section 1 of chapter 64G who enters into an agreement with the commissioner under section 10 of said chapter 64G may treat any accommodation for which the intermediary provides services as an occupancy subject to the excise under said chapter 64G, collecting and remitting payments under chapters 62C and 64G and section 9 of chapter 152 of the acts of 1997, as amended by section 2 through 4 of chapter 45 of the acts of 2001, accordingly, under conditions specified by the commissioner and agreed to by the intermediary in the agreement under said section 10 of said chapter 64G.

*Summary:*

This section authorizes the Commissioner of Revenue to enter into agreements with intermediaries serving the transient accommodation market, for the collection of occupancy tax on behalf of all property owners the intermediary may represent.

**Section 60 - Sales Tax Modernization 2**

SECTION 60. The department of revenue shall record as revenue in fiscal year 2019 sales tax revenue collected by vendors and operators required to file a return under section 16 of chapter 62C of the General Laws on account of June 2019 sales but remitted to and received by the department in July 2019, in the amount that, under section 95 of chapter 47 of the acts of 2017, was recorded as revenue in fiscal year 2018 for sales tax revenue collected by vendors and operators required to file a return under said section 16 of said chapter 62C on account of June 2018 sales but remitted to and received by the department in July 2018. The department of revenue shall record as revenue in fiscal year 2020 sales tax revenue collected by vendors and operators required to file a return under said section 16 of said chapter 62C on account of June 2020 sales but remitted to and received by the department in July 2020, in the amount that, under said section 95 of said chapter 47 of the acts of 2017, was recorded as revenue in fiscal year 2018 for sales tax revenue collected by vendors and operators required to file a return under said section 16 of said chapter 62C on account of June 2018 sales but remitted to and received by the department in July 2018. Notwithstanding any general or special law, rule, regulation or accounts receivable policy to the contrary, the comptroller shall record in fiscal years 2019 and 2020 such revenue in the state accounting system and in the statutory basis financial report required by section 12 of chapter 7A of the General Laws.

*Summary:*

This section requires the Department of Revenue to treat sales tax revenue remitted in July as revenue for the previous fiscal year for fiscal years 2019 and 2020. A companion section requires the Commissioner of Revenue to promulgate regulations by May 31, 2021 so as to require third-party processors (predominantly credit card companies) to remit to the Commonwealth, on a daily basis, the portion of a sale that is attributable to sales tax. There would be no change to the current schedule for reporting and remitting the sales tax for cash sales.

**Section 61 - Sick Leave Buyback 2**

SECTION 61. Notwithstanding any general or special law to the contrary, section 26 shall take effect for any employee of the commonwealth and any employee at public institutions of higher education listed in section 5 of chapter 15A of the General Laws who has accrued not more than 1,000 hours of unused sick leave credits, on the effective date of this act. Any such employee who has accrued more than 1,000 hours of unused sick leave credits as of the effective date of this act shall not accrue credits in excess of those credits, but may accrue credits to replenish any sick time that is used after the effective date of this act, up to the maximum of 1,000 hours set forth above.

*Summary:*

This section along with three others limits the accrual of unused sick time to 1,000 hours for executive branch and public higher education employees. It would also freeze the accrual of sick time for any employee who has already accrued more than 1,000 hours.

**Section 62 - Sick Leave Buyback 3**

SECTION 62. Notwithstanding any general or special law to the contrary, the personnel administrator shall promulgate revised rules under the second paragraph of section 28 of chapter 7 of the General Laws to incorporate the changes enacted in subsection (e) of section 31A of chapter 29 of the General Laws and section 61 of this act, which revisions shall take effect as soon as practicable after the effective date of this act.

*Summary:*

This section along with three others limits the accrual of unused sick time to 1,000 hours for executive branch and public higher education employees. It would also freeze the accrual of sick time for any employee who has already accrued more than 1,000 hours.

**Section 63 - Sick Leave Buyback 4**

SECTION 63. Notwithstanding any general or special law to the contrary, the department of higher education and the University of Massachusetts shall revise the necessary rules and policies in order to incorporate the changes enacted in subsection (f) of section 31A of chapter 29 of the General Laws and section 61 of this act, which revisions shall take effect as soon as practicable after the effective date of this act.

*Summary:*

This section along with three others limits the accrual of unused sick time to 1,000 hours for executive branch and public higher education employees. It would also freeze the accrual of sick time for any employee who has already accrued more than 1,000 hours.

**Section 64 - Health Safety Net Administration**

SECTION 64. Notwithstanding any general or special law to the contrary, payments from the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws may be made either as safety net care payments under the commonwealth's waiver pursuant to section 1115 of the federal Social Security Act, 42 U.S.C. 1315, or as an adjustment to service rate payments under Title XIX and XXI of the Social Security Act or a combination of both. Other federally permissible funding mechanisms available for certain hospitals, as defined by regulations of the executive office of health and human services, may be used to reimburse up to \$70,000,000 of uncompensated care pursuant to sections 66 and 69 of said chapter 118E using sources distinct from the funding made available to the Health Safety Net Trust Fund.

*Summary:*

This section allows Health Safety Net payments to be made as 1115 waiver or state plan payments, and authorizes up to \$70 million of uncompensated care to be paid from sources other than the Health Safety Net Trust Fund.

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## Section 65 - Initial Gross Payments to Qualifying Acute Care Hospitals

SECTION 65. Notwithstanding any general or special law to the contrary, not later than October 1, 2018 and without further appropriation, the comptroller shall transfer from the General Fund to the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws the greater of \$45,000,000 or 1/12 of the total expenditures to hospitals and community health centers required pursuant to this act, for the purposes of making initial gross payments to qualifying acute care hospitals for the hospital fiscal year beginning October 1, 2018. These payments shall be made to hospitals before, and in anticipation of, the payment by hospitals of their gross liability to the Health Safety Net Trust Fund. The comptroller shall transfer from the Health Safety Net Trust Fund to the General Fund, not later than June 30, 2019, the amount of the transfer authorized by this section and any allocation of that amount as certified by the director of the health safety net office.

### *Summary:*

This annual section requires the Comptroller to transfer sufficient money from the General Fund to the Health Safety Net Trust Fund to make the required initial gross payment to qualifying hospitals. It requires the Health Safety Net Trust Fund to repay the General Fund before the end of fiscal year 2019.

## Section 66 - Inspector General's Health Care Audits

SECTION 66. Notwithstanding any general or special law to the contrary, in hospital fiscal year 2019, the office of inspector general may expend a total of \$1,000,000 from the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws for costs associated with maintaining a health safety net audit unit within the office. The unit shall continue to oversee and examine the practices in hospitals including, but not limited to, the care of the uninsured and the resulting free charges. The unit shall also study and review the Medicaid program under said chapter 118E including, but not limited to, a review of the program's eligibility requirements, utilization, claims administration and compliance with federal mandates. The inspector general shall submit a report to the chairs of the senate and house committees on ways and means on the results of the audits and any other completed analyses not later than March 1, 2020.

### *Summary:*

This section authorizes the Inspector General's Office to conduct audits of the Health Safety Net and the MassHealth program, at a cost of \$1 million for fiscal year 2019. As in past years, this cost will be borne by the Health Safety Net Trust Fund.

## Section 67 - MassHealth Dental Coverage

SECTION 67. Notwithstanding section 53 of chapter 118E of the General Laws, for fiscal year 2019, the executive office of health and human services may determine, subject to required federal approvals, the extent to which to include within its covered services for adults the federally-optional dental services that were included in its state plan or demonstration program in effect on January 1, 2002; provided, however, that dental services for adults enrolled in MassHealth shall be covered at least to the extent they were covered as of June 30, 2018.

### *Summary:*

This section authorizes MassHealth to continue providing the same level of dental benefits that it is offering in fiscal year 2018.

## **Section 68 - MassHealth Drug Pricing 2**

SECTION 68. Notwithstanding any general or special law to the contrary, the executive office of health and human services may determine, subject to required federal approvals, the extent to which to include within its covered services federally-optional coverage of prescribed drugs; provided, however, that MassHealth shall provide coverage of at least one drug in each therapeutic class where at least one drug in the class has demonstrated clinical efficacy, and shall provide coverage of more than one drug in certain therapeutic classes where the class contains multiple drugs that have demonstrated incremental clinical efficacy and value. MassHealth shall also establish an exceptions process that allows for coverage of additional drugs when medically necessary.

*Summary:*

This section removes a potential state law barrier to MassHealth's implementation of a closed formulary.

## **Section 69 - Nursing and Resident Care Facility Base Year**

SECTION 69. Notwithstanding any general or special law to the contrary, nursing facility and resident care facility rates effective October 1, 2018 under section 13D of chapter 118E of the General Laws may be developed using the costs of calendar year 2007, or any subsequent year that the secretary of health and human services may select in the secretary's discretion.

*Summary:*

This section establishes 2007, or any subsequent year the Secretary of Health and Human Services may choose, as the base year for nursing facility and resident care facility rates in fiscal year 2019.

## **Section 70 - Transfers between Health Funds**

SECTION 70. Notwithstanding any general or special law to the contrary, the executive office of administration and finance may transfer up to \$15,000,000 from the Commonwealth Care Trust Fund established in section 2000 of chapter 29 of the General Laws to the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws.

*Summary:*

This section authorizes the Secretary of Administration and Finance to transfer up to \$15 million from the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund.

## **Section 71 - Health Connector Coverage for Non-Disabled Adults**

SECTION 71. Notwithstanding any general or special law to the contrary, subject to federal approval under the commonwealth's waiver pursuant to section 1115 of the federal Social Security Act, 42 U.S.C 1315, non-disabled adults age 21 through 64 with income above 100 per cent of the federal poverty level, excluding pregnant women, individuals with HIV-AIDS and individuals with breast or cervical cancer, shall be determined eligible for and enrolled in subsidized insurance through the commonwealth health insurance connector only. At least 30 days before implementing eligibility changes under this section, the secretary of health and human services shall file a report with the house and senate committees on ways and means detailing the proposed changes and the anticipated fiscal impact of those changes.

*Summary:*

This section makes non-disabled adults with income above 100 percent of the federal poverty level, excluding pregnant women, individuals with HIV-AIDS, and individuals with breast or cervical cancer, eligible only for subsidized insurance through the Health Connector. These individuals are currently eligible for MassHealth.

**Section 72 - Electronic Addresses for Customers of the Registry of Motor Vehicles**

SECTION 72. Notwithstanding any general or special law to the contrary, the registrar of motor vehicles may request, on applications or other forms, a customer's electronic address. The request shall indicate that if an electronic address is provided, the registrar may send certain communications to the customer via the electronic address, which may include but not be limited to, license and registration renewal reminders and other information which may be of interest to the customer, but shall not include certain notifications from the registry that are required by law to be sent by a form of U.S. mail. For purposes of this section, the term "electronic address" may include an email address, a cell telephone number address at which the customer may receive a text message or such other electronic means as the registrar may determine.

*Summary:*

This section would permit, but not require, the RMV to communicate electronically with customers.

**Section 73 - Tuition Retention**

SECTION 73. There shall be a task force to identify the steps necessary to implement tuition retention for state universities and community colleges for the start of fiscal year 2020, including any necessary statutory changes. The task force shall be chaired by the commissioner of higher education, or his designee, and include the following members, or their designees: the secretary of education; the secretary of administration and finance; the chair of the board of higher education; 2 community college presidents; 2 state university presidents; the senate president; the speaker of the house of representatives; and the executive director of the Massachusetts state college building authority. Not later than October 15, 2018, the task force shall report to the secretary of administration and finance and the house and senate committees on ways and means on the following matters: (a) the costs and benefits associated with implementing tuition retention in a manner that transparently and succinctly presents total student charges and does so in a consistent manner across the public higher education system; (b) the implications of authorizing state universities and community colleges to set their own student charges, within parameters established under multi-year strategic plans approved by the board of higher education and the secretary of education; (c) the manner in which campuses and the board of higher education currently define "state supported" versus "non state-supported" for the purposes of establishing remittance amounts, allocating collective bargaining costs, determining state and campus fringe costs and determining the applicability of tuition waivers within and across the public higher education system, and recommendations for establishing a consistent set of standards by which campuses and the board of higher education will define "state supported" versus "non state-supported" for said purposes; (d) potential methodologies for establishing a revenue neutral implementation plan, including the mitigation of revenue variability due to future fluctuations in enrollments; (e) calculations and recommendations relative to the value of all tuition waivers existing on July 1, 2018 and authorized under section 19 of chapter 15A of the General Laws, any other general or special law or otherwise collectively bargained, along with recommendations for procedures and approval mechanisms to recognize the value of such tuition waivers as tuition credits; (f) recommendations for specific budgetary and financial information that would appropriately be included in institutional annual reports in order to increase transparency and inform and support the development of both annual institutional budgets and

the 5-year strategic plans envisioned in subsection (b) above; (g) the possibility of alternative implementation timelines, including phasing in tuition retention or implementing it on separate timelines for the state university and community college segments; and (h) any commonwealth financial obligations, such as collective bargaining and fringe costs, that may be affected by the implementation of tuition retention.

*Summary:*

This section convenes a task force on the implementation of tuition retention for state universities and community colleges, including a review of how student charges are set, and the possible expansion of the special mission campus model for all campuses to submit multi-year plans outlining a schedule of tuition/fee increases to be approved by the Board of Higher Education and Secretary of Education. The task force report would inform budget-neutral tuition retention changes that would take effect in fiscal year 2020.

**Section 74 - EMAC Supplement Tax Credit Effective Date**

SECTION 74. Sections 29, 30 and 58 shall take effect on January 1, 2018.

*Summary:*

This section sets an effective date of January 1, 2018 for the EMAC Supplement Tax Credit.

**Section 75 - Earned Income Tax Credit Increase Effective Date**

SECTION 75. Section 28 shall take effect on January 1, 2019.

*Summary:*

This section sets an effective date of January 1, 2019 for the increase to the Earned Income Tax Credit.

**Section 76 - Effective Date**

SECTION 76. Except as otherwise specified, this act shall take effect as of July 1, 2018.

*Summary:*

This section provides that the budget shall take effect on July 1, 2018.



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